



Report to the Auburn City Council

Action Item	4
Agenda Item No.	
City Manager's Approval	

To: Mayor and City Council Members
From: Wilfred Wong, Community Development Director
Date: September 9, 2013
Subject: Approval of a Tax Sharing Agreement Between the County of Placer and City of Auburn for Annexation of 16.1 Acres Located at 880 and 890 Foresthill Avenue; and Payment of Annexation Fee

The Issue

Should the City Council approve the Tax Sharing Agreement between the County of Placer and City of Auburn (**Attachment 1 of Exhibit A**) and the payment of an Annexation Fee of \$5,220.35 for the annexation of 16.1 acres located at 880 and 890 Foresthill Avenue?

Conclusions and Recommendation

Staff recommends that the City Council take the following action:

- A. By Resolution, approve the Tax Sharing Agreement between the County of Placer and City of Auburn for the properties located at 880 and 890 Foresthill Avenue (**Exhibit A**).
- B. By Resolution, approve a fee of \$5,220.35 for the annexation of properties located at 880 and 890 Foresthill Avenue (**Exhibit B**).

History/Background

On April 25, 2011 the City Council authorized the submittal of an application with the Placer County LAFCO for annexation of 16.1 acres of property located at 880 and 890 Foresthill Avenue (**Exhibit C**).

In accordance with LAFCO law (Government Code §56000 et seq. cited as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and the Revenue and Taxation Code Section 99(b)), prior to the issuance of a certificate of filing by LAFCO, the local agencies (i.e. County and City) must first agree to a mutually acceptable exchange of property tax revenues.

Approval of the attached resolution ratifies the Tax Sharing Agreement between the County of Placer and City of Auburn thereby completing the LAFCO annexation application. Completion of the application allows Placer County LAFCO to start finalizing annexation proceedings, including a public hearing, which could be scheduled for October 9, 2013. On August 20, 2013 the County Board of Supervisors approved the Tax Sharing Agreement (**Exhibit D**).

In addition to the Tax Sharing Agreement an Annexation Fee of \$5,220.35 is required to be paid by the applicant. Per the City's General Plan annexations need to be "fiscally sound additions to the City." Staff discussed annexation fees with the Cities of Roseville, Rocklin and Lincoln. Our previous Administrative Services Director, Andy Heath, determined that an Annexation Fee would be required to make up the short fall in property tax.

Alternatives Available to Council; Implications of Alternatives

1. Adopt the Resolutions approving the Tax Sharing Agreement and the Annexation Fee thereby allowing LAFCO to proceed with the annexation;
2. Do not adopt the Resolutions approving the Tax Sharing Agreement and the Annexation Fee; or,
3. Provide further direction to staff.

Fiscal Impacts

The combination of the Tax Sharing Agreement and Annexation Fee will provide for a fiscally sound annexation.

Additional Information

Please see the following Exhibits for more details:

- A. Resolution approving Tax Sharing Agreement.
- B. Resolution approving Annexation Fee.
- C. April 25, 2011 City Council minutes.
- D. August 20, 2013 Placer County memorandum on Tax Sharing Agreement.
- E. August 25, 2011 City Council staff report.



EXHIBIT A

EXHIBIT A

RESOLUTION NO. 13-_____

A RESOLUTION APPROVING A TAX SHARING AGREEMENT BETWEEN THE
COUNTY OF PLACER AND CITY OF AUBURN FOR PROPERTIES
LOCATED AT 880 and 890 FORESTHILL AVENUE
(ASSESSOR PARCELS 054-290-062 AND 054-290-063)

WHEREAS, property owners, Ronald and Kathleen Meyer, have
requested annexation of 16.1 acres of unincorporated land within the City of
Auburn's Sphere of Influence, located at 880 and 890 Foresthill Avenue
adjacent to the City of Auburn and the Stage Coach Preserve owned by the
Placer County Land Trust; and

WHEREAS, damage to an existing residential dwelling located on the
Meyer property located at 890 Foresthill Avenue resulted in the need to
reconstruct the residential dwelling; and

WHEREAS, the septic system does not meet current code and
connection to the old existing septic is unsuitable for a newly constructed or
substantially modified home and Placer County Environmental Health has
required sewer service to the residential dwelling being rebuilt by the property
owner; and

WHEREAS, annexation into the City of Auburn is required so that sewer
services can be provided to the residential dwelling; and

WHEREAS, prior to consideration of the annexation proposal by LAFCO,
the City and County as affected parties must agree to apportionment of
revenues to support delivery of services once annexation occurs; and

1 **WHEREAS**, due to extenuating circumstances with associated
2 requirements, the City and the County have agreed to a property tax sharing
3 approach that would be utilized only for this annexation.
4

5 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, AS**
6 **FOLLOWS:**

7 **SECTION 1.** The Agreement (**Attachment 1**) is hereby approved and
8 the Mayor, the City Manager or the designee of either such officer, is hereby
9 authorized and directed to execute said document, and the City Clerk or the
10 designee thereof is hereby authorized and directed to attest thereto.
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13 DATED: September 9, 2013
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16 _____
Kevin Hanley, Mayor

17 ATTEST:
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19 _____
20 Stephanie Snyder, City Clerk

21 I, Stephanie Snyder, City Clerk of the City of Auburn, hereby certify that
22 the foregoing resolution was duly passed at a regular meeting of the City
23 Council of the City of Auburn held on the 9th day of September 2013 by the
following vote on roll call:

24 Ayes:
25 Noes:
26 Absent:

27 _____
Stephanie Snyder, City Clerk
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ATTACHMENT 1

AGREEMENT FOR APPORTIONMENT OF PROPERTY TAX REVENUES DUE TO JURISDICTIONAL CHANGE

This Agreement for Apportionment of Property Tax Revenues Due to Jurisdictional Changes ("Agreement") is made and entered into this _____ day of _____, 2013, by and between the COUNTY OF PLACER, a political subdivision of the State of California ("County"), and the CITY OF AUBURN, a municipal corporation ("City").

WHEREAS, Section 99(b) of the Revenue and Taxation Code provides that upon the filing of an application for a jurisdictional change, prior to the issuance of a certificate of filing by the Local Agency Formation Commission ("LAFCO"), the local agencies must first agree to a mutually acceptable exchange of property tax revenues; and

WHEREAS, Placer County will continue provision of most services including both Countywide and certain municipal type services following annexation; and

WHEREAS, property and sales taxes are the primary source of revenue to support such services; and

WHEREAS, the purpose of this Agreement is to provide for distribution of available property tax revenues between County and City, and

WHEREAS, following damage to a dwelling unit due to a fallen tree, application was made for construction of a replacement dwelling unit in the unincorporated area adjacent to the City of Auburn; and

WHEREAS, the property needed and testing indicated the property was unable to accommodate the septic system required for the replacement unit; and

WHEREAS, other options for wastewater disposal were evaluated and deemed not feasible and annexation into the City of Auburn is required; and

WHEREAS, the County finds that special circumstances exist with respect to this annexation and associated agreement and said Agreement will not establish a basis for future annexations, nor will it set a precedent for other annexation related discussion; and

WHEREAS, the parties have negotiated this Agreement for the exchange of property tax revenues for annexations occurring in the area referred to as the Meyer

annexation as generally shown in Exhibit A and as described in Exhibit A-1 ("Annexation Area") attached hereto and incorporated by reference, whether or not applicable statutes change in the future; and

WHEREAS, in consideration of the mutual covenants herein exchanged, the City and County agree to this tax sharing agreement.

NOW, THEREFORE, County and City agree as follows:

1. Definitions.

a. The "Annexation Area" shall mean the area as described in Exhibits A and A-1 respectively, attached hereto and incorporated herein by reference.

b. Base Property Tax Revenues shall mean the total amount of property tax revenues based upon the AB 8 gross levy for the fiscal year immediately preceding the year in which the annexation is proposed that accrues to: (1) Placer County (General Fund), (2) Fire Control Fund and (3) any other Affected Agency, as determined prior to any adjustment or revenue reallocation by the State of California for the Education Revenue Augmentation Fund (ERAF).

c. Incremental Property Tax Revenues shall mean the amount of property tax revenues accruing to each Affected Agency attributable to the annual tax increment increase in assessed valuation in each fiscal year after the annexation is completed.

d. Affected Agency shall mean each local agency whose service area or service responsibility would be altered by the jurisdictional change. The Affected Agencies within the Annexation Areas are the County of Placer and the City of Auburn.

2. Affected Funds. The County Auditor has notified the City and County pursuant to Revenue and Taxation Code section 99, subdivision (b)(2), that, of the 1% ad valorem property tax imposed pursuant to Article 13A, section 1 of the State Constitution, the property tax revenue which is subject to negotiated exchange consists of the Placer County General Fund percentage, 32% and the Fire Control Fund, 1.41%.

3. Affected Tax Rate Areas which include all Base Property Tax Revenue or Incremental Property Tax Revenue available for allocation and distribution include:

TRA 056-029

4. Allocation of Future Property Taxes. Based on mutual agreement of both parties following completion of annexation of the identified area (subject to the apportionment of taxes for the redevelopment project area until such time that the project area is terminated) Placer County shall:

a. Retain 60% of the 1% property tax available based on the sum total of all base and incremental property tax revenues (i.e. AB8 gross levy prior to adjustments and revenue transfers relative to the Education Revenue Augmentation Fund) accruing to the Placer County General Fund and the Fire Control Fund prior to annexation; and

5. The City of Auburn shall be apportioned the remaining balance of the property tax in the affected funds including the Placer County General Fund and the Fire Control fund; and all general sales tax received from sales in the annexed area.

6. Imposition of Capital Facilities Fees. City agrees that property which may be developed within any annexation area that is subject to this Agreement shall be required to pay the County capital facilities fees, as imposed on development within the City at the time of the issuance of a building permit for such property.

7. Collection of Capital Facilities Fees. City agrees that it shall impose upon a developer of property within the annexation areas the obligation to pay the capital facilities fee pursuant to a development agreement, if one is not yet agreed to by City and the developer, or any other legally binding mechanism agreed to by City and developer. City shall require the fee to be paid prior to or at the time of the issuance of the building permit.

8. Calculation of Base Property Tax Revenue Amount. The Base Property Tax Revenue to be apportioned, pursuant to Section 2 above, shall be calculated by utilizing the actual amount of tax revenues generated from all of the property in the area being annexed in the fiscal year prior to annexation, which total sum shall then be divided and allocated accordingly.

9. Commencement of Exchange. The exchange of Base Property Tax Revenue and Incremental Property Tax Revenue shall commence one year after the calendar year in which the notice of completion is filed.

10. Incremental Property Tax Revenue. Nothing herein shall be interpreted to preclude City or County from receiving Incremental Property Tax Revenue attributable to an annexed territory according to the property tax apportionment methods used by the County Auditor-Controller, notwithstanding the fact that no Base Property Tax Revenues attributable to the annexed territory may have been previously received.

11. Effective Date. This Agreement shall be effective on _____, 2013, and continue in full force and effect thereafter unless amended by the mutual consent of the parties.

CITY OF AUBURN

_____, Mayor
City of Auburn

Date

COUNTY OF PLACER

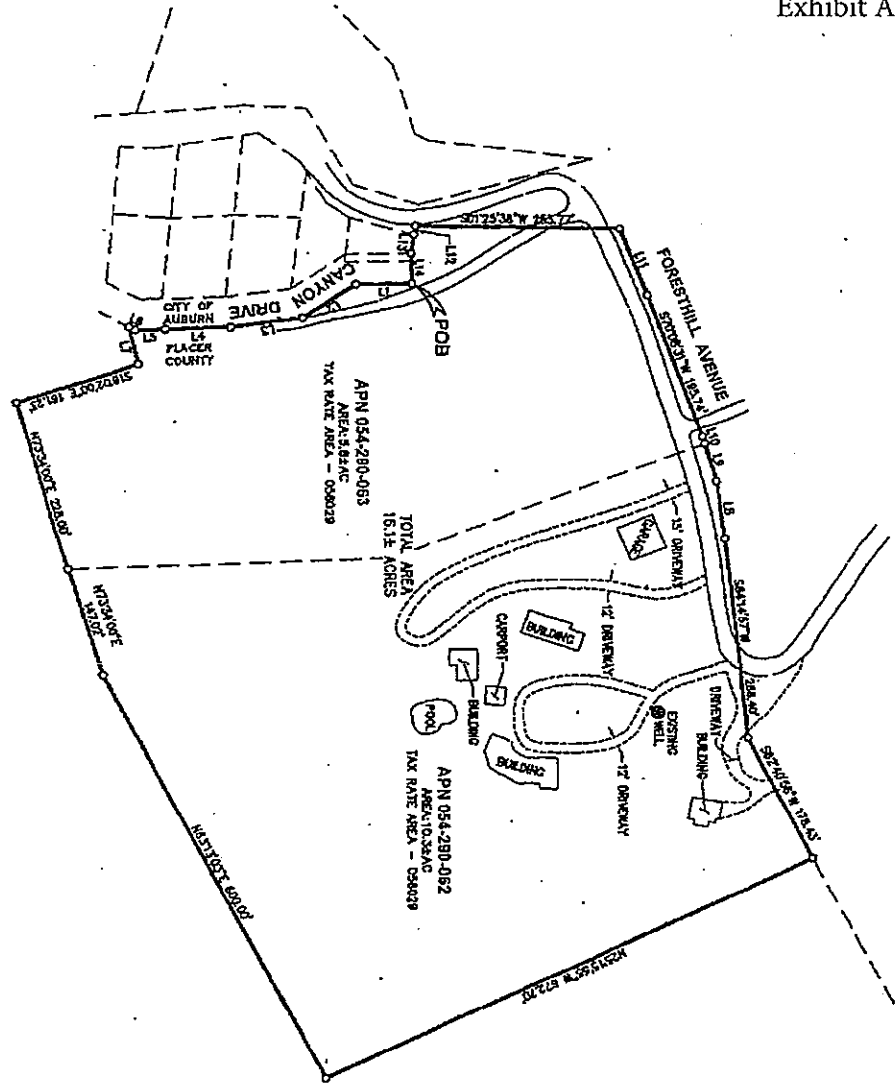
Jim Holmes, Chairman
Placer County Board of Supervisors

Date

County of Placer

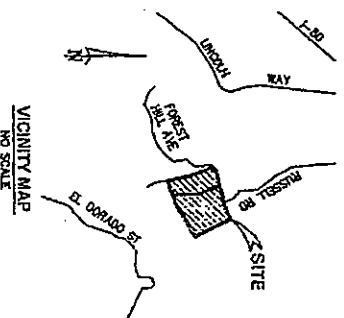
Approved as to Form

County Counsel



LINE TABULATION

NO.	BEARING	DIST.
1	S 89° 10' 00" E	48.32
2	S 82° 56' 00" E	78.87
3	S 80° 59' 00" E	83.89
4	S 87° 35' 00" E	80.38
5	S 87° 22' 00" E	57.17
6	S 73° 10' 00" E	8.86
7	N 70° 23' 00" E	49.30
8	S 42° 29' 31" W	75.63
9	S 74° 33' 31" W	52.00
10	S 74° 33' 31" W	10.00
11	S 48° 18' 31" W	93.43
12	S 81° 00' 00" E	12.19
13	S 81° 00' 00" E	23.85
14	N 89° 10' 00" E	48.00



SCALE: 1"=100'

EXISTING STRUCTURES MEYER

A PORTION OF
SECTION 11, T12N R8E, MDM
PLACER COUNTY, CALIFORNIA
SCALE: 1"=100' APRIL 14, 2011

ANDREGG
GEOMATICS

26 V021\4026\veg\4026X-Badings.dwg
PREPARED AT THE REQUEST OF:
RON WETER

BOUNDARY SHOWN HEREON BASED ON RECORD PER DOCUMENT NO.
98-0058192 AND DOCUMENT NO. 99-0058193
HORIZONTAL DATUM:
LOCAL GROUND COORDINATES

City of Auburn Annexation

All that portion of land conveyed in the grant deed to Placer Land Trust, a Non-Profit Corporation, recorded in Document No. 99-0059192, Official Records of Placer County hereinafter referred to as the Placer Land Trust Parcel, and all that portion of land conveyed in the grant deed to Ronald M. Meyer and Kathleen G. Meyer, Trustees, recorded in Document No. 99-0059193, Official Records of Placer County, hereafter referred to as the Meyer Parcel, all located in the northwest quarter of Section 11, Township 12 North, Range 8 East, MDM, County of Placer, State of California, more particularly described as follows:

Beginning at point on the easterly line of Canyon Drive, said line also being the City of Auburn City limits line as described in City of Auburn Resolution No. 72-95 – Canyon Court Annexation No. 2; thence from the **Point of Beginning** along said City Limits line and said easterly line of Canyon Drive the following six (6) consecutive courses:

1. South 00°54'00" East, a distance of 69.52 feet,
2. South 32°56'00" East, a distance of 79.81 feet,
3. South 06°59'00" East, a distance of 88.69 feet,
4. South 01°35'00" East, a distance of 80.58 feet,
5. South 01°22'00" East, a distance of 37.17 feet and
6. South 27°51'00" West, a distance of 8.66 feet

to a point on the southerly line of said Placer Land Trust Parcel; thence along said southerly line the following three (3) consecutive courses:

1. North 76°29'00" East, a distance of 49.50 feet,
2. South 18°02'00" East, a distance of 161.23 feet and
3. North 73°34'00" East, a distance of 228.00

to the southeast corner of said Placer Land Trust Parcel and the southwest corner of said Meyer Parcel; thence along the southerly line of said Meyer Parcel the following two (2) consecutive courses:

1. continuing North 73°34'00" East, a distance of 147.02 feet and
2. North 63°13'03" East, a distance of 600.00 feet

to the southeast corner of said Meyer Parcel; thence North 25°15'55" West, along the easterly line of said Meyer parcel, a distance of 672.70 feet to the northeast corner of said Meyer Parcel; thence along the northerly line of said Meyer Parcel the following four (4) consecutive courses:

Thence along the northerly line of said Meyer Trust the following four (4) consecutive courses and distances:

1. South 62°40'56" West, a distance of 178.43 feet,
2. South 84°14'57" West, a distance of 266.40 feet,
3. South 82°29'31" West, a distance of 75.63 feet and
4. South 74°33'31" West a distance of 52.00 feet

to the northwest corner of said Meyer Parcel and the northeast corner of said Placer Land Trust Parcel;

thence along the northerly line of said Placer Land Trust Parcel the following three (3) consecutive courses:

1. continuing South 74°33'31" West, a distance of 10.00 feet,
2. South 70°08'31" West, a distance of 195.74 feet and
3. South 69°18'31" West a distance of 93.43 feet

to the northwest corner of said Placer Land Trust Parcel; thence along the westerly line of said Placer Land Trust Parcel the following two (2) consecutive courses:

1. South 01°25'38" West, a distance of 253.77 feet and
2. South 81°00'00" East, a distance of 12.19 feet

to a point on said City of Auburn City Limits Line; thence along said City Limits Line the following two (2) consecutive courses:

1. South 81°00'00" East, a distance of 23.83 feet and
2. North 89°06'00" East, a distance of 40.00 feet

to the **Point of Beginning**.

Containing 16.1 acres, more or less.

End of Description.

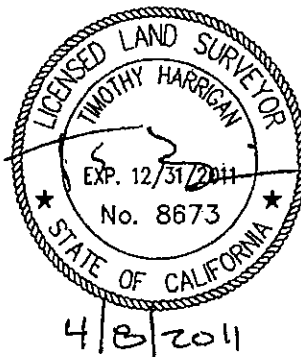




EXHIBIT B

EXHIBIT B

RESOLUTION NO. 13-_____

A RESOLUTION APPROVING A FEE OF \$5,220.35 FOR THE ANNEXATION OF
PROPERTIES LOCATED AT 880 and 890 FORESTHILL AVENUE
(ASSESSOR PARCELS 054-290-062 AND 054-290-063)

WHEREAS, property owners, Ronald and Kathleen Meyer, have
requested annexation of 16.1 acres of unincorporated land within the City of
Auburn's Sphere of Influence, located at 880 and 890 Foresthill Avenue
adjacent to the City of Auburn and the Stage Coach Preserve owned by the
Placer County Land Trust; and

WHEREAS, a Tax Sharing Agreement has been approved by the County
of Placer and City of Auburn; and

WHEREAS, it is the General Plan Policy of the City to annex those lands
which can be developed in accordance with the Auburn General Plan, are
fiscally sound additions to the City, can be adequately served by municipal (or
acceptable alternative) facilities and services, and are part of a planned,
orderly annexation program; and

WHEREAS, in addition to the Tax Sharing Agreement with the County of
Placer an Annexation Fee is required to make the Annexation a fiscally sound
addition to the City; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, AS
FOLLOWS:**

SECTION 1. An Annexation Fee of \$5,220.35 shall be required to be
paid to the City of Auburn prior to the City's execution of the Tax Sharing
Agreement.

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DATED: September 9, 2013

Kevin Hanley, Mayor

ATTEST:

Stephanie Snyder, City Clerk

I, Stephanie Snyder, City Clerk of the City of Auburn, hereby certify that the foregoing resolution was duly passed at a regular meeting of the City Council of the City of Auburn held on the 9th day of September 2013 by the following vote on roll call:

Ayes:
Noes:
Absent:

Stephanie Snyder, City Clerk



EXHIBIT C

Auburn City Council Minutes 04/25/2011

CITY COUNCIL MINUTES

**April 25, 2011
REGULAR SESSION**

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, April 25, 2011 at 6:00 p.m. with Mayor Kirby presiding and Deputy City Clerk Amy M. Lind recording the minutes.

CALL TO ORDER

ROLL CALL:

Council Members Present: Bridget Powers, Kevin Hanley, J. M. Holmes, Keith Nesbitt, Bill Kirby

Council Members Absent: None

Staff Members Present: City Manager Robert Richardson, City Attorney Michael Colantuono, Community Development Director Will Wong, Fire Chief Mark D'Ambrogi, Public Works Director Bernie Schroeder, Public Works Engineer Carie Huff, Transit Analyst Megan Siren, Administrative Services Director Andy Heath, Police Chief Valerie Harris and Police Captain John Ruffcorn.

By **MOTION** adjourn to a Closed Session under Government Code Section 54957.6

MOTION: Nesbitt/ Hanley/ Unanimously Approved by Voice

- (1) **CONFERENCE WITH LABOR NEGOTIATORS**
G.C. 54957.6

Agency Designated Representatives: Robert Richardson, Patrick Clark

Employee Group: All Bargaining Units

REPORT OUT OF CLOSED SESSION

No reportable action.

PLEDGE OF ALLEGIANCE

**MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/
ANNOUNCEMENTS**

Mayor Kirby presented a Youth Temperance Education Week proclamation.

AGENDA APPROVAL

The agenda was approved as presented by consensus of the Council.

CONSENT CALENDAR

Joseph Tuccirone, resident of Auburn, requested item 2 be removed. Council Member Hanley removed item 2.

1. Surplus Equipment

By RESOLUTION 11-46, declare as surplus to the City's needs the equipment listed on Exhibit A and direct staff to contact with an auctioneer to assist the City in disposal of equipment or properly dispose of items.

2. Authorization to Submit an Application to Placer County Local Agency Formation Commission (LAFCO) to consider annexation of two properties totaling ±16.1 acres located at 880 & 890 Foresthill Avenue

Removed from Consent Calendar; see item 2a.

***** End of Consent Calendar *****

By MOTION, approve the consent calendar consisting of item 1.
MOTION: Nesbitt/ Powers/ Approved 5:0

2a. Authorization to Submit an Application to Placer County Local Agency Formation Commission (LAFCO) to consider annexation of two properties totaling ±16.1 acres located at 880 & 890 Foresthill Avenue

Joseph Tuccirone, resident of Auburn, expressed his concern regarding City annexation of this property due to fire safety and septic system issues.

Community Development Director Will Wong explained this annexation is part of a use permit process by the County. He said the tax sharing agreement will be completed as part of this process to ensure the annexation is fiscally responsible.

Council Members then asked questions about: (1) fire safety, (2) tax sharing agreement, (3) city staff time for this annexation, (4) sewer connection fees, and (5) the lift station.

A. By **RESOLUTION 11-47**, adopt a Categorical Exemption prepared for the project as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines; and,

B. By **RESOLUTION 11-48**, authorize the submission of an application to the Placer County Local Agency Formation Commission (LAFCO) to consider annexation of ±16.1 acres located at 880 & 890 Foresthill Avenue.

MOTION: Hanley/ Holmes/ Approved 5:0

3. **Public Comment**

Council Member Nesbitt thanked those in attendance at the Placer High School fundraiser benefitting student sports.

Megan Siren, Transit Manager, reported the Free Medication Take Back event will take place Saturday, April 30th, in the City Hall Parking Lot.

REPORTS

4. **City Council Committee Reports**

Council Member Powers reported the Airport Business Park Association is meeting this Wednesday at 5:30 p.m. She said the featured speaker is Congressman McClintock. She also reported that the Placer County Economic Development Board met last Wednesday and provided an update on the "Business to Business Walk."

Council Member Holmes reported that the Placer County Air Pollution Control District approved a \$6,500 "Clean Air Grant" for the City of Auburn. He reported that the SED Corp Board has approved a position to the board for a private sector member from the City of Auburn. He also reported on the latest developments regarding the Auburn State Recreation Area.

Council Member Hanley reported that Project Canyon Safe will be working at the "Dam Overlook" on June 25th. He said Recology is going to have employees volunteer for this event. He also said there are more project sites planned for the future.

Council Member Nesbitt said the Economic Development Commission has met recently and is proactively developing the marketing plan for Auburn. He reported that the Chamber Breakfast on April 29th will include a discussion about the Amgen Tour of California stage start in Auburn. He also reported on other events surrounding the stage start.



EXHIBIT D

MEMORANDUM
OFFICE OF THE
COUNTY EXECUTIVE
COUNTY OF PLACER

TO: Honorable Board of Supervisors

FROM: Holly L. Heinzen, Chief Assistant County Executive Officer

DATE: August 20, 2013

SUBJECT: Meyer Proposed Annexation Resolution and Tax Sharing Agreement

ACTION REQUESTED

Approve the attached Resolution authorizing the Chairman of the Board of Supervisors to sign a property tax sharing agreement with the City of Auburn for the annexation of Assessor Parcels (APN) 054-290-062 and 054-290-063 located on Foresthill Avenue adjacent to the City of Auburn.

BACKGROUND

Property owners have requested annexation of 17.1 acres of unincorporated land within the City's Sphere of Influence, located at 880 and 890 Foresthill Avenue adjacent to the City of Auburn and the Stage Coach Preserve owned by the Placer County Land Trust. The proposed annexation area contains four residential units owned by Ronald and Kathleen Meyer on APN# 054-290-062, and designated open space owned by the Placer Land Trust (APN 054-290-063). The property is built out and no further development is proposed upon annexation by the City.

Damage to the residence located on the Meyers property has resulted in the need to reconstruct one of the residential units. The request for annexation is predicated on a County Environmental Health requirement to provide sewer service to the home being rebuilt by the property owner. The existing home, damaged by a fallen tree was previously served by septic system. Soils for the septic do not meet current code and connection to the old existing septic is unsuitable for a newly constructed or substantially modified home. There is one structure in the annexation area already being served by City sewer due to a failed septic system. The City of Auburn is requiring annexation to the City in order to provide sewer services to the reconstructed dwelling unit. Placer Land Trust has deeded a sewer line easement across their property to the Meyers property.

ISSUE

Prior to consideration of the annexation proposal by the Local Agency Formation Commission (LAFCo), the County and City as the affected parties must agree to apportionment of revenues to support delivery of services once annexation occurs. In order for the annexation to be considered by LAFCo both jurisdictions must approve a Resolution approving an agreement for sharing of taxes generated in the annexation area.

County and City staff have reached an agreement for revenue sharing apportionments that will provide support of countywide and municipal type services. The tax shares agreed upon are based on a prior agreement Master Property Tax Sharing Agreement with the City that relied on the existing proportionate shares of property tax within the City being applied to property tax available for the proposed annexation. Given this is a very small annexation that does not include construction of new dwelling units and the extenuating circumstances involved, this appears to be a reasonable approach.

FISCAL IMPACT

Currently, of the 1% of the property tax received in the proposed annexation area, the County General Fund receives approximately 31% and Fire Control receives 1.41% of the property tax increment. As proposed under the attached agreement, the County would retain 60% of the amount currently accruing to the General Fund and the Fire Control Fund (prior to shifts to the Education Revenue Augmentation Fund - ERAF). The County will retain responsibility for countywide services in the area. The City of Auburn would be apportioned the remaining balance of the property tax in the affected funds and all general sales tax received from sales in the annexed area. In addition, consistent with requirements in other property tax agreements, the City agrees to impose and collect the Placer County Capital Facilities Fee for impacts of new development on County facilities, which the City currently does for all projects within the City limits

Given, the existing statutory structure for allocation of property tax revenues, including the property tax shift to the schools, the limited size and development potential, it is anticipated that the provision of countywide services would not be materially impacted with this annexation and that services would continue to be provided at approximately the same level as currently exists.

Attachments: Resolution
Tax Sharing Agreement

Before the Board of Supervisors County of Placer, State of California

Resol. No: _____

In the Matter of:

Annexation of Assessor Parcels (APN) 054-290-062 and 054-290-063 to the City of Auburn.

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held on August 20, 2013 by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:
Clerk of said Board

Whereas, property owners have requested annexation of 17.1 acres of unincorporated land within the City's Sphere of Influence, located at 880 and 890 Foresthill Avenue adjacent to the City of Auburn and the Stage Coach Preserve owned by the Placer County Land Trust; and

Whereas, the proposed annexation area contains four residential units owned by Ronald and Kathleen Meyer on APN# 054-290-062, and designated open space owned by the Placer Land Trust (parcel # 054-290-063); and

Whereas the property is built out and no further development is proposed upon annexation by the City; and

Whereas, damage to the existing residence located on the Meyers property has resulted in the need to reconstruct one of the residential units; and

Whereas, the septic system does not meet current code and connection to the old existing septic is unsuitable for a newly constructed or substantially modified home and County Environmental Health has required sewer service to the home being rebuilt by the property owner; and

Whereas, the City of Auburn is requiring annexation in order to provide sewer services to the reconstructed dwelling unit; and

Whereas, Placer Land Trust has deeded a sewer line easement across their property to the Meyers property; and

Whereas, prior to consideration of the annexation proposal by LAFCo, the County and City as the affected parties must agree to apportionment of revenues to support delivery of services once annexation occurs.

Whereas, due to extenuating circumstances associated requirements, the City and the County have agreed to a property tax sharing approach that would be utilized only for this annexation

Now, therefore be it resolved, that the Board of Supervisors authorizes the County to enter into the attached property tax sharing agreement with the City of Auburn and the Chairman of the Board of Supervisors to sign on behalf of Placer County.

AGREEMENT FOR APPORTIONMENT OF PROPERTY TAX REVENUES DUE TO JURISDICTIONAL CHANGE

This Agreement for Apportionment of Property Tax Revenues Due to Jurisdictional Changes ("Agreement") is made and entered into this _____ day of _____, 2013, by and between the COUNTY OF PLACER, a political subdivision of the State of California ("County"), and the CITY OF AUBURN, a municipal corporation ("City").

WHEREAS, Section 99(b) of the Revenue and Taxation Code provides that upon the filing of an application for a jurisdictional change, prior to the issuance of a certificate of filing by the Local Agency Formation Commission ("LAFCO"), the local agencies must first agree to a mutually acceptable exchange of property tax revenues; and

WHEREAS, Placer County will continue provision of most services including both Countywide and certain municipal type services following annexation; and

WHEREAS, property and sales taxes are the primary source of revenue to support such services; and

WHEREAS, the purpose of this Agreement is to provide for distribution of available property tax revenues between County and City, and

WHEREAS, following damage to a dwelling unit due to a fallen tree, application was made for construction of a replacement dwelling unit in the unincorporated area adjacent to the City of Auburn; and

WHEREAS, the property needed and testing indicated the property was unable to accommodate the septic system required for the replacement unit; and

WHEREAS, other options for wastewater disposal were evaluated and deemed not feasible and annexation into the City of Auburn is required; and

WHEREAS, the County finds that special circumstances exist with respect to this annexation and associated agreement and said Agreement will not establish a basis for future annexations, nor will it set a precedent for other annexation related discussion; and

WHEREAS, the parties have negotiated this Agreement for the exchange of property tax revenues for annexations occurring in the area referred to as the Meyer

annexation as generally shown in Exhibit A and as described in Exhibit A-1 ("Annexation Area") attached hereto and incorporated by reference, whether or not applicable statutes change in the future; and

WHEREAS, in consideration of the mutual covenants herein exchanged, the City and County agree to this tax sharing agreement.

NOW, THEREFORE, County and City agree as follows:

1. Definitions.

a. The "Annexation Area" shall mean the area as described in Exhibits A and A-1 respectively, attached hereto and incorporated herein by reference.

b. Base Property Tax Revenues shall mean the total amount of property tax revenues based upon the AB 8 gross levy for the fiscal year immediately preceding the year in which the annexation is proposed that accrues to: (1) Placer County (General Fund), (2) Fire Control Fund and (3) any other Affected Agency, as determined prior to any adjustment or revenue reallocation by the State of California for the Education Revenue Augmentation Fund (ERAF).

c. Incremental Property Tax Revenues shall mean the amount of property tax revenues accruing to each Affected Agency attributable to the annual tax increment increase in assessed valuation in each fiscal year after the annexation is completed.

d. Affected Agency shall mean each local agency whose service area or service responsibility would be altered by the jurisdictional change. The Affected Agencies within the Annexation Areas are the County of Placer and the City of Auburn.

2. Affected Funds. The County Auditor has notified the City and County pursuant to Revenue and Taxation Code section 99, subdivision (b)(2), that, of the 1% ad valorem property tax imposed pursuant to Article 13A, section 1 of the State Constitution, the property tax revenue which is subject to negotiated exchange consists of the Placer County General Fund percentage, 32% and the Fire Control Fund, 1.41%.

3. Affected Tax Rate Areas which include all Base Property Tax Revenue or Incremental Property Tax Revenue available for allocation and distribution include:

TRA 056-029

4. Allocation of Future Property Taxes. Based on mutual agreement of both parties following completion of annexation of the identified area (subject to the apportionment of taxes for the redevelopment project area until such time that the project area is terminated) Placer County shall:

a. Retain 60% of the 1% property tax available based on the sum total of all base and incremental property tax revenues (i.e. AB8 gross levy prior to adjustments and revenue transfers relative to the Education Revenue Augmentation Fund) accruing to the Placer County General Fund and the Fire Control Fund prior to annexation; and

5. The City of Auburn shall be apportioned the remaining balance of the property tax in the affected funds including the Placer County General Fund and the Fire Control fund; and all general sales tax received from sales in the annexed area.

6. Imposition of Capital Facilities Fees. City agrees that property which may be developed within any annexation area that is subject to this Agreement shall be required to pay the County capital facilities fees, as imposed on development within the City at the time of the issuance of a building permit for such property.

7. Collection of Capital Facilities Fees. City agrees that it shall impose upon a developer of property within the annexation areas the obligation to pay the capital facilities fee pursuant to a development agreement, if one is not yet agreed to by City and the developer, or any other legally binding mechanism agreed to by City and developer. City shall require the fee to be paid prior to or at the time of the issuance of the building permit.

8. Calculation of Base Property Tax Revenue Amount. The Base Property Tax Revenue to be apportioned, pursuant to Section 2 above, shall be calculated by utilizing the actual amount of tax revenues generated from all of the property in the area being annexed in the fiscal year prior to annexation, which total sum shall then be divided and allocated accordingly.



EXHIBIT E



Report to the Auburn City Council

Action Item	2
Agenda Item No.	
<div style="position: relative; width: 100%;"> 3 <div style="position: absolute; top: 0; right: 0; font-size: 24pt; font-weight: bold;">2</div> </div>	
City Manager's Approval	

To: Mayor and City Council Members

From: Lance E. Lowe, AICP, Associate Planner *[Signature]*

Date: April 25, 2011

Subject: Authorization to Submit an Application to the Placer County Local Agency Formation Commission (LAFCO) to Consider Annexation of Two Properties Totaling ±16.1 Acres Located at 880 & 890 Foresthill Avenue.

The Issue

Should the City Council Authorize the submittal of an application to the Placer County Local Agency Formation Commission (LAFCO) to consider annexation of two properties totaling ±16.1 acres located at 880 and 890 Foresthill Avenue (**Attachment 1**)?

Conclusions and Recommendation

Staff recommends that the City Council take the following actions:

- A. By Resolution, adopt a Categorical Exemption prepared for the project as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines (**Exhibit A**); and,
- B. By Resolution, authorize the submittal of an application to LAFCO to consider Annexation of ±16.1 acres located at 880 & 890 Foresthill Avenue (**Exhibit B**).

History/Background

The applicant has obtained a Minor Use Permit (MUP) from the Placer County Community Development & Resource Agency to replace an existing singly family dwelling unit on his ±10.6 acre property located at 890 Foresthill Avenue. A condition of the MUP requires the applicant to obtain sewer connections from the City for each of the dwellings (4 total) prior to obtaining a Certificate of Occupancy for the replaced residence (Condition of Approval No. 4) (**Attachments 2 & 3**).

In order to obtain additional sewer connections from the City, it has been the City's policy that property owners desiring additional City sewer hookups be required to annex into the City prior to obtaining additional City sewer connections. Accordingly, the applicant has been unable to comply with Placer County's Condition of Approval No. 4. and is therefore requesting that his property be considered for annexation by the Placer County Local Agency Formation Commission (LAFCO) (**Attachment 4**).

The applicant has also spoken with the adjoining property owners and the Placer County Land Trust, which owns an adjoining property at 880 Foresthill Avenue (between the City of Auburn and applicant's property) has agreed to participate in the annexation proceedings. According to correspondence received from the Placer County Land Trust (**Attachment 5**), the Placer County Land Trust is agreeable to the annexation provided that: 1) No further development will occur on the properties; 2) Placer Land Trust property will be designated Open Space Conservation; and, 3) No costs will be incurred by Placer Land Trust related to the annexation process.

Project Description

Adoption of the attached resolutions provides authorization to LAFCO to accept an annexation application for processing. The ±16.1 acre properties located at 880 & 890 Foresthill Avenue adjoin property currently outside of the City's jurisdiction, but are within the City's Sphere of Influence. The City's General Plan Land Use designation for the subject properties is Urban Low Density Residential which allows four (4) dwelling units per acre.

In addition to annexation of the properties into the City, the applicant is requesting that the Community Development Department concurrently process entitlements consisting of a General Plan Amendment and Pre-zone for both of the properties. The General Plan designation of Urban Low Density Residential is proposed to be changed to Open Space and Pre-Zoned to Open Space Conservation for the Placer Land Trust property identified as APN: 054-290-063. The applicant's property is proposed to be changed from Urban Low Density Residential to Low Density Residential, which allows a density of ½ units per acre and a Pre-Zone to Agricultural Residential, minimum parcel size of 2.5 units per acre (**Attachment 6**).

The General Plan Amendment & Rezone require public hearings at both the Planning Commission and City Council. The Annexation, General Plan Amendment & Pre-zone applications will run concurrently. Ratification of a tax sharing agreement between the City and County is required prior to approval of the annexation by LAFCO.

Annexation Policy

In accordance with Resolution No. 99-64 it has been the policy of the City of Auburn that the City shall actively encourage annexation. Specifically, Resolution 99-64 states:

"That pre-annexation activities shall be initiated for those areas within an appropriate sphere of influence that (1) are fiscally sound additions to the City; (2) can be served by municipal facilities or an acceptable alternative; (3) are beneficial to the residents and businesses within the City of Auburn and the area to be annexed; and, (4) conform with the policies of the Auburn General Plan."

General Plan Consistency

As depicted on the City of Auburn Land Use Map, the subject property is designated for Urban Low Density Residential (ULDR) use. A Residential Low Density designation allows a density of up to 4 dwelling units per net acre. Land Use Policies of the City of Auburn General Plan promote annexation provided the annexation is fiscally sound and provisions for water, sewer,

and drainage system improvements are provided. The project is consistent with the Urban Low Density Residential General Plan designation and the following General Plan policies and goals:

- Policy 10.1 – Utilize development standards and annexation to promote open space and to manage the rate, location, and type of growth.
- Policy 10.2 – Annex those lands which can be developed in accordance with the Auburn General Plan, are fiscally sound additions to the City, can be adequately served by municipal (or acceptable alternative) facilities and services, and are part of a planned, orderly annexation program.
- Policy 10.3 – Pre-zone all properties proposed for annexation in a manner consistent with the Auburn General Plan.
- Policy 10.4 – The Auburn General Plan and zoning designations for annexed land should consider the following criteria:
 - a. The capacity of facilities and municipal services.
 - b. The environmental effects that development on lands proposed for annexation may have on properties within the existing city limits.
 - c. Existing land uses, if any, on and in the vicinity of the land use.
 - d. The extent of any natural habitats and features of the landscape which should be preserved.
 - e. The demonstrated need for additional housing, retail commercial uses, other commercial uses, and industrial uses.

Environmental Determination

The subject property contains four (4) dwelling units with associated improvements. No further development is proposed with the annexation and the City services to be provided would only serve existing development.

In accordance with Section 15319, Class 19, of the California Environmental Quality Act (CEQA) and Guidelines, the project may be determined to be Categorically Exempt under the following provisions:

- a) Annexations to a city or special district of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities.
- b) Annexations of individual small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures.

Alternatives Available to Council; Implications of Alternatives

1. Adopt the Resolutions authorizing the submittal of an application to the Placer County Local Formation Commission; or,
2. Do not adopt the Resolutions authorizing submittal of an application to the Placer County Local Formation Commission; or,

3. Provide further direction to Staff.

Fiscal Impacts

As a component of annexation and prior to approval by LAFCO, a City/County Tax Sharing Agreement is required to be ratified between the City and County. Once negotiated between the City and County, the Tax Sharing Agreement shall be presented to the City Council for approval.

Additional Information

Please see the following attachments for more details:

ATTACHMENTS –

1. Vicinity Map
2. Site Plan
3. County of Placer Community Development Resource Agency Approval
4. Applicant's Correspondence dated April 14, 2011
5. Placer County Land Trust Correspondence dated March 24, 2011
6. City of Auburn General Plan Land Use & Zoning Maps

EXHIBITS –

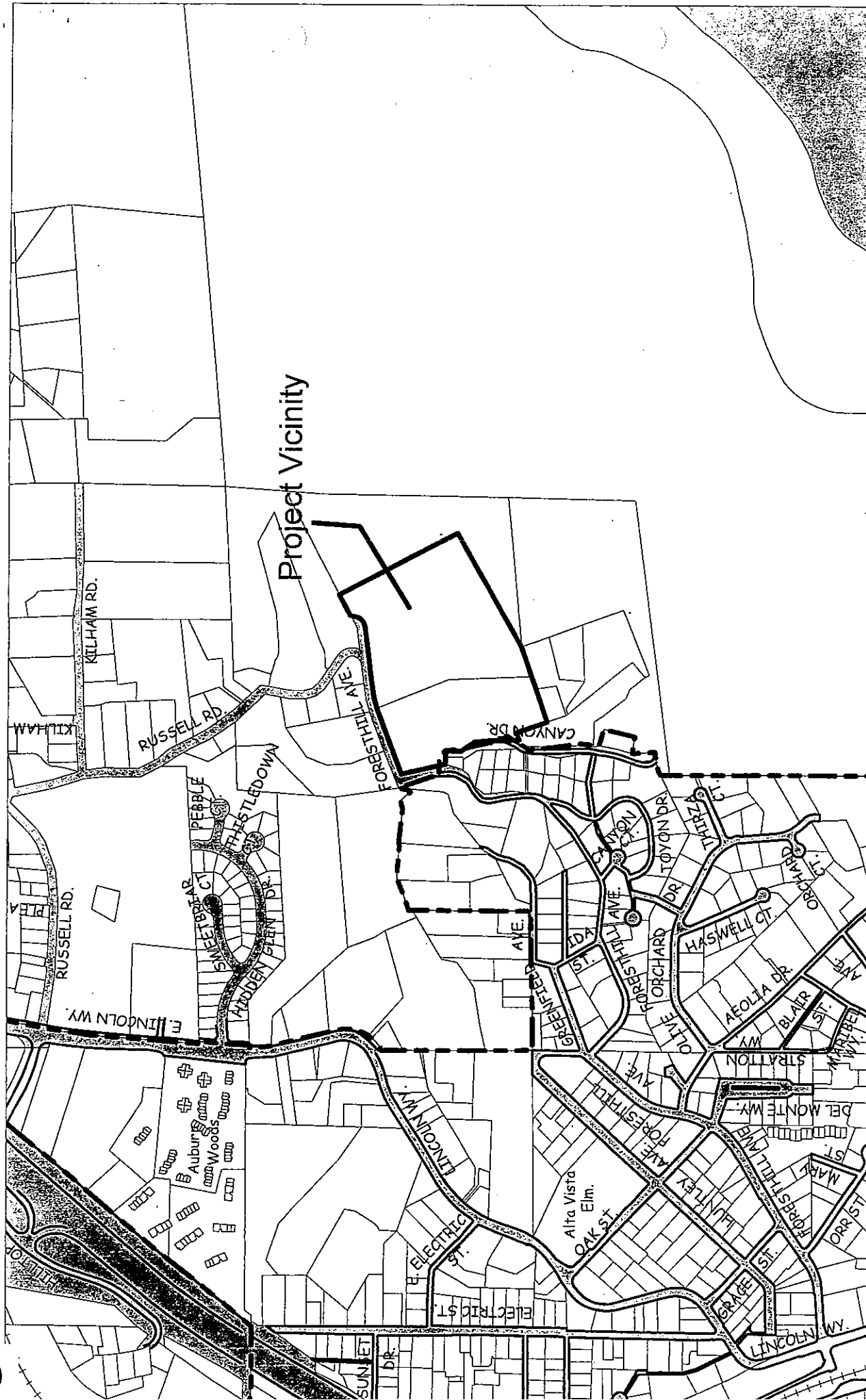
- A. Resolution adopting Categorical Exemption with Attached Categorical Exemption
- B. Resolution Authorizing the Submittal of an Application with the Placer County Local Agency Formation Commission.

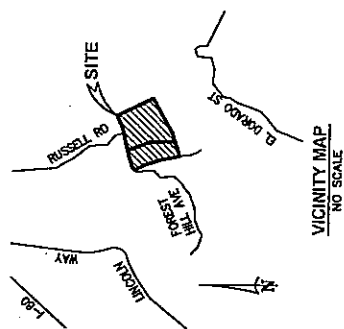


ATTACHMENTS

880 & 890 Foresthill Avenue

100





LINE TABULATION

NO.	BEARING	DIST.
L1	S00°54'00"E	88.52'
L2	S32°58'00"E	79.81'
L3	S08°59'00"E	88.89'
L4	S01°35'00"E	60.58'
L5	S01°22'00"E	37.17'
L6	S27°51'00"W	8.66'
L7	N78°29'00"E	49.50'
L8	S82°29'31"W	75.63'
L9	S74°33'31"W	52.00'
L10	S89°16'31"W	10.00'
L11	S81°00'00"E	83.43'
L12	S81°00'00"E	12.16'
L13	S81°00'00"E	25.63'
L14	N89°08'00"E	40.00'

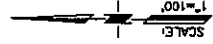


EXHIBIT MAP MEYER EXISTING STRUCTURES

A PORTION OF
SECTION 11, T12N R8E, MDM
PLACER COUNTY, CALIFORNIA
SCALE: 1"=100' APRIL 14, 2011

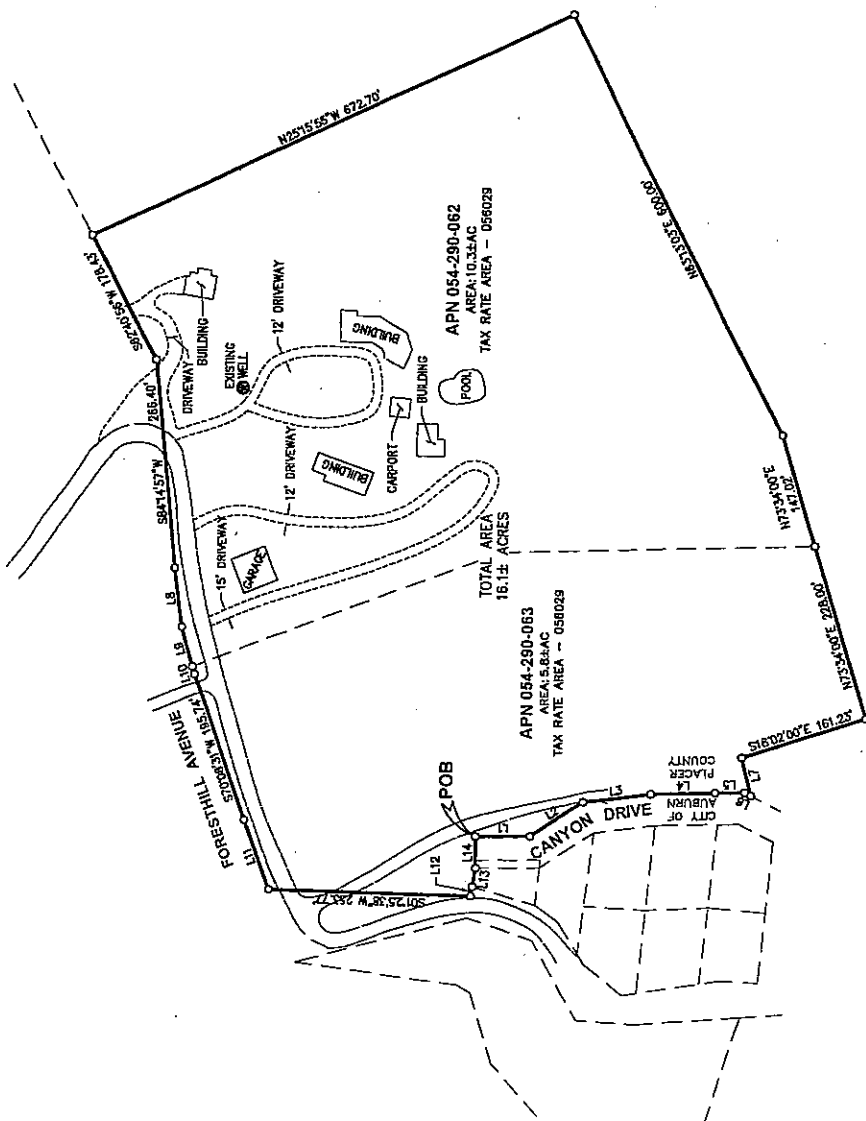
**ANDREGG
GEOMATICS**

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04/14/11 02:04:35m pch/r

PREPARED AT THE REQUEST OF:
RON MEYER

BOUNDARY SHOWN HEREON BASED ON RECORD PER DOCUMENT NO.
98-0059162 AND DOCUMENT NO. 98-0059163

HORIZONTAL DATUM:
LOCAL GROUND COORDINATES





COUNTY OF PLACER
Community Development Resource Agency

ATTACHMENT 3

PLANNING

Michael J. Johnson, AICP
Agency Director

FINAL FINDINGS AND FINAL CONDITIONS OF APPROVAL
MINOR USE PERMIT PMPC 20100380 - MEYER

CEQA FINDINGS:

The project is Categorically Exempt from environmental review pursuant to the provisions of Section 15302 of the California Environmental Quality Act Guidelines and Section 18.36.040 of the Placer County Environmental Review Ordinance (Class 2, Replacement or Reconstruction).

FINAL FINDINGS:

1. The proposed use is consistent with applicable policies and requirements of the Placer County General Plan and the Auburn/Bowman Community Plan.
2. The proposed project is consistent with all applicable provisions of the Placer County Zoning Ordinance.
3. The Minor Use Permit does not authorize a use that is not otherwise allowed in the zoning district.

FINAL CONDITIONS OF APPROVAL:

1. This Minor Use Permit (PMPCT20100380) is approved to allow for the construction of a 3,000 square foot single-family residence at the location of an existing storm-damaged residence on APN 054-290-062.
2. The applicant shall obtain a building permit for the construction of the single-family residence.
3. The applicant shall construct the single-family residence within the footprint of the residence to be demolished.
4. Prior to Building permit issuance, submit to Environmental Health Services a "Will-serve" letter from the City of Auburn stating that the City of Auburn sewer district can and will provide sewerage service to all plumbed structures on the subject parcel. Connect all residences and structures with plumbing on the parcel to this public sewer, and properly abandon all existing septic systems on site. All remaining septic system abandonments to be completed with permit and inspection by the Placer County Building Department. Prior to issuance of an Environmental Health Services Final for a building permit, submit written verification to Environmental Health Services of completion of the above.
5. Prior to building permit issuance, submit to Environmental Health Services, a will serve letter from Placer County Water Agency for domestic treated water service, and connect the project to this domestic treated water supply.
6. This approval shall expire on December 27, 2012 unless previously exercised.

ATTACHMENT 4

April 14, 2011

City of Auburn
1225 Lincoln Way
Auburn, CA 95603

To whom it may concern:

The following is a brief history leading up to the need for annexation into the city of Auburn. We purchased this property located at 890 Foresthill Avenue, Auburn, in July of 2002. After moving onto the property we experienced a failing septic system for the house that we will be replacing. After exploring all alternatives for on site disposal we realized we had no solutions to remedy the problem. We then installed a sewer line connecting to the City of Auburn.

In October of 2010 we hired an architect to draw plans for a house to replace the existing one. I then visited all the agencies at Placer County and was told I would need a minor use permit that we were granted Dec. 16, 2010. One of the conditions of the use permit was that we connect all plumbed structures to the city sewer. We then went to the city to get a will serve letter for sewer connection and were told we would need to annex in order to do so.

If I can answer any further questions, please don't hesitate to ask.

Sincerely,



Ron and Kathy Meyer





Natural Wonders Forever

Placer Land Trust

11661 Blocker Drive #110
Auburn, CA 95603
(530) 887-9222
Fax (530) 888-7720
info@placerlandtrust.org
www.placerlandtrust.org

Board of Directors

Fred Yeager, President
Patricia Callan-McKinney
Rich Ferreira
Robert Gilliom
Jim Haagen-Smit
Gregg McKenzie
Thomas McMahan
Mehrey Vaghti
Larry Welch

Executive Director

Jeff Darlington

Placer Land Trust works with willing landowners and conservation partners to permanently preserve natural and agricultural lands in Placer County for future generations.



Placer Land Trust is a private, nonprofit 501(c)(3) charitable organization incorporated in 1991, accredited by the national Land Trust Accreditation Commission. Federal Tax Identification Number: 68-0223143.

To: Wilfred Wong, City of Auburn
Ron Meyer
Kristina Berry, LAFCO
Bob Gilliom, Emigrant Trails Greenway Trust
Meyer/Stagecoach area neighbors

On March 15, 2011, Placer Land Trust's neighbor Ron Meyer informed Placer Land Trust (PLT) that he is seeking City of Auburn approval for City sewer service to an existing site on his Foresthill Avenue property.

Ron and the City informed PLT that the City and/or LAFCO would require Ron's property and the intervening property – a portion of PLT's Stagecoach Preserve – to be annexed into the City of Auburn, in order for this service to be approved.

PLT has discussed this proposal with Ron Meyer and with Wilfred Wong, Community Development Director for the City of Auburn.

Placer Land Trust is willing to have a portion of its Stagecoach Preserve annexed into the City of Auburn, subject to the following understandings and actions.

First, PLT's policy is to avoid taking actions that facilitate development around its protected lands, and, if possible, to enhance its protected lands through a variety of actions with willing landowners (including limiting adjacent development through agreements with willing landowners).

In this case, PLT policy does not prevent PLT from accommodating Ron Meyer's sewer hook-up to an existing building site, since it does not result in increased development density either on the Meyer property or other adjacent properties. Ron Meyer's sewer hook-up proposal is consistent with that certain *Deed of Sewer Line Easement, June 2, 2004*, by and between PLT and Ron Meyer, which restricts the amount of sewer service to the Meyer property across PLT's Stagecoach Preserve.

Consistent with its policy, PLT will not allow any additional City sewer or other utilities to cross Stagecoach Preserve, whether to Ron Meyer or any other neighbor.

(continued)

RECEIVED

MAR 25 2011

Furthermore, Ron Meyer has agreed to place deed restrictions on his property, enforceable by PLT, to forever limit development to four residential units, regardless of future changes in property zoning or ownership. Given that fact, and with Ron Meyer's consent, PLT encourages the City to zone the Meyer property consistent with this existing density upon annexation.

Secondly, PLT requires Ron Meyer to compensate PLT for any costs incurred by PLT related to the annexation process.

Finally, PLT understands that this annexation will not increase the property tax burden on our Stagecoach Preserve property, and PLT requests the City to zone the annexed portions of its Stagecoach Preserve as Open Space, consistent with the property's protected status and existing and perpetual use for public benefit.

Placer Land Trust values our relationships with the City of Auburn and with our neighbors, many of whom in this neighborhood joined with Emigrant Trails Greenway Trust and the Meyer family to fund PLT's acquisition and permanent protection of Stagecoach Preserve.

Please feel free to contact me with any questions you may have.

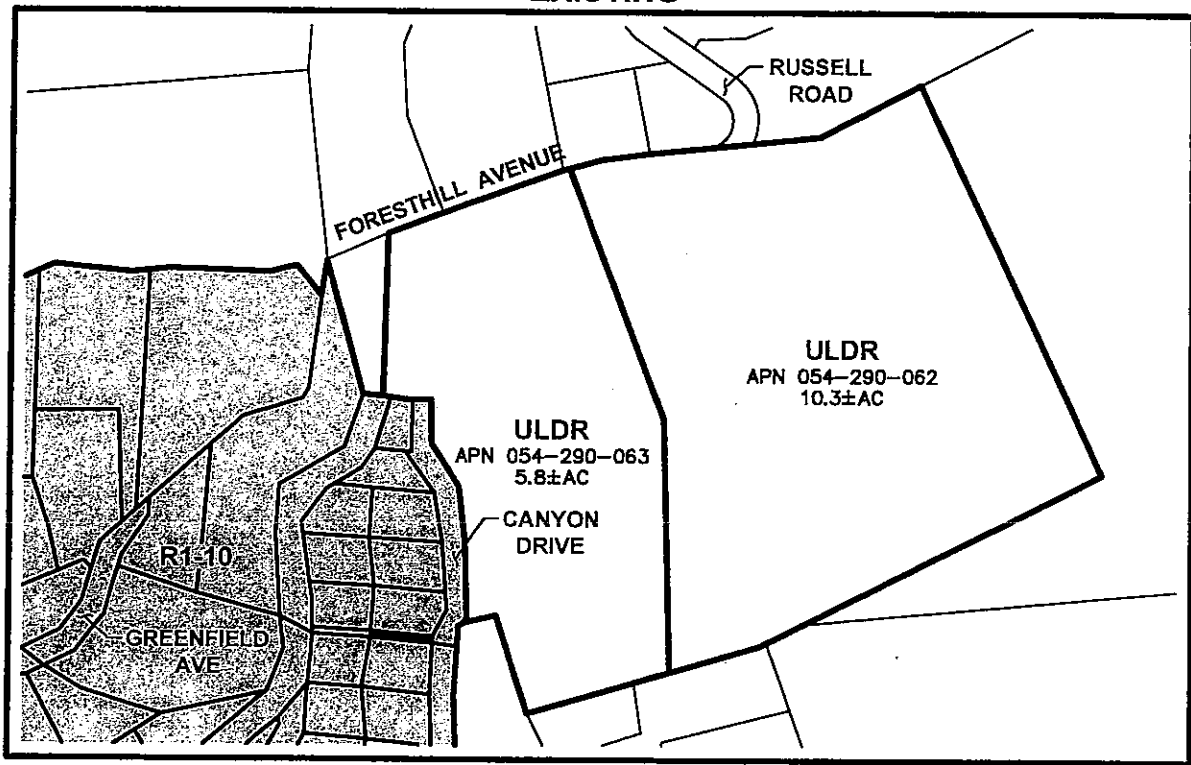
Sincerely,

A handwritten signature in black ink, appearing to read 'JD' or 'Jeff Darlington', with a long horizontal stroke extending to the right.

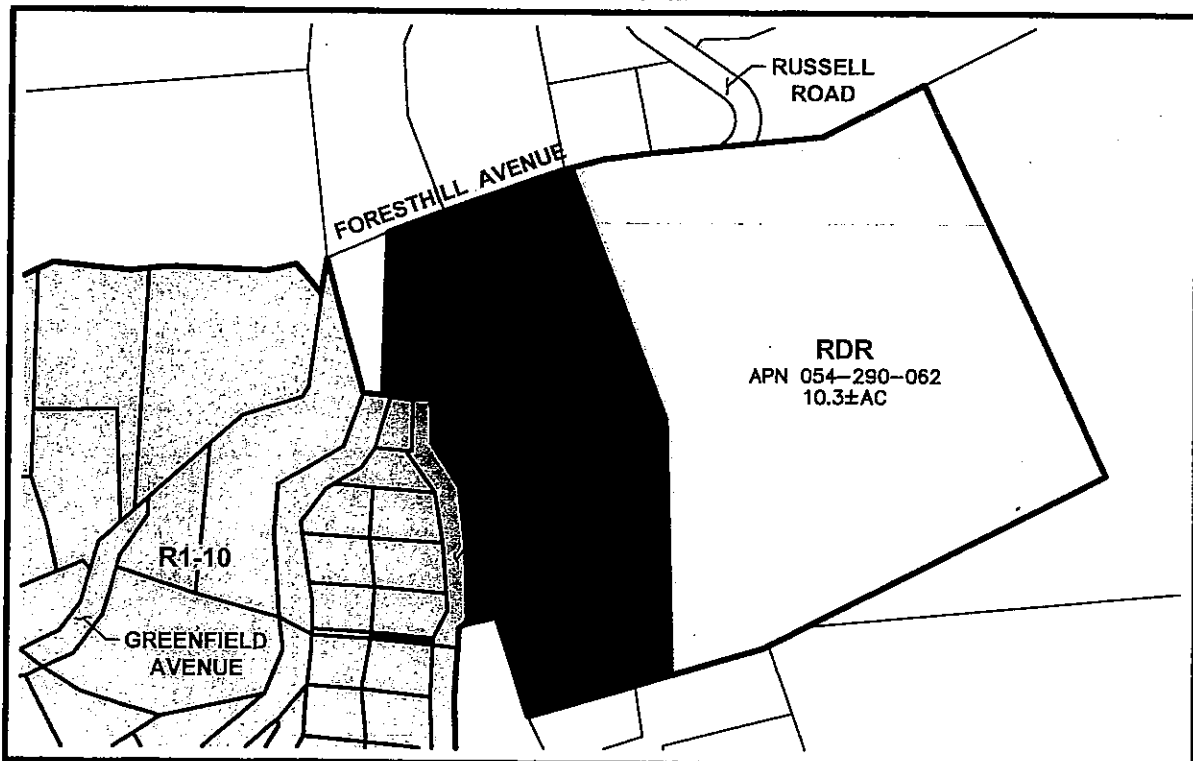
Jeff Darlington
Executive Director

Proposed General Plan Amendment

EXISTING

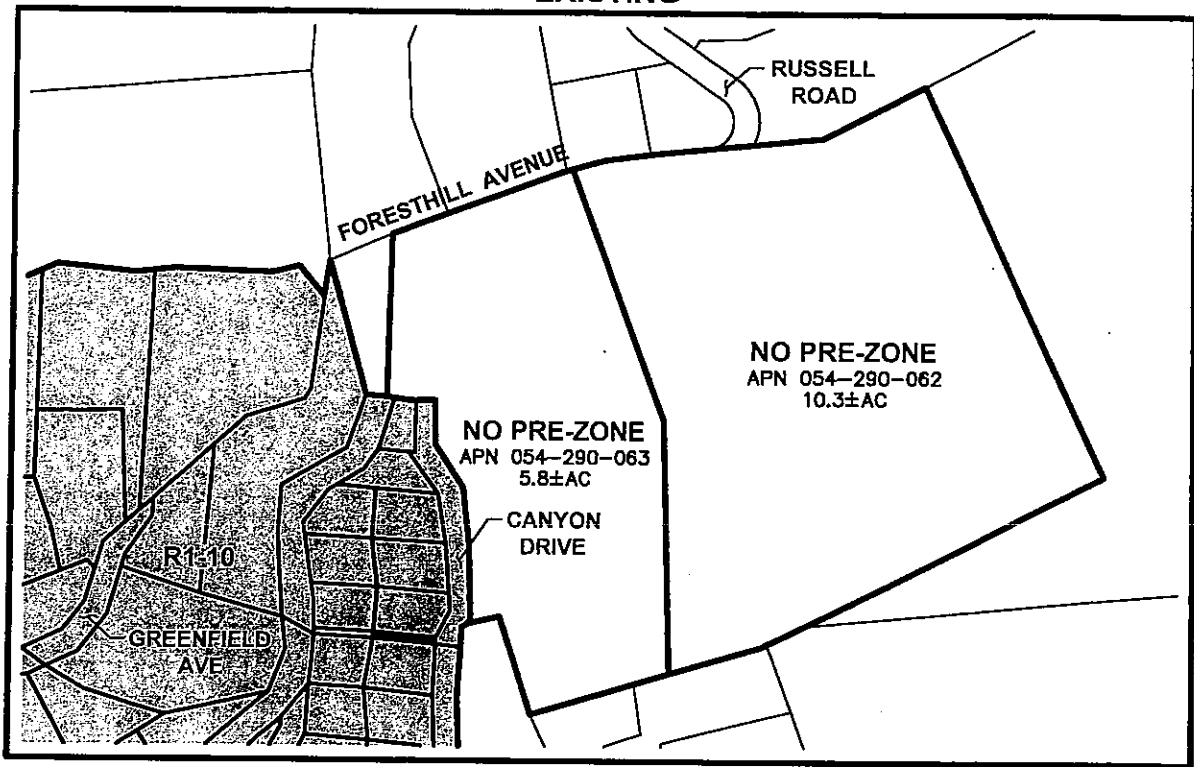


PROPOSED

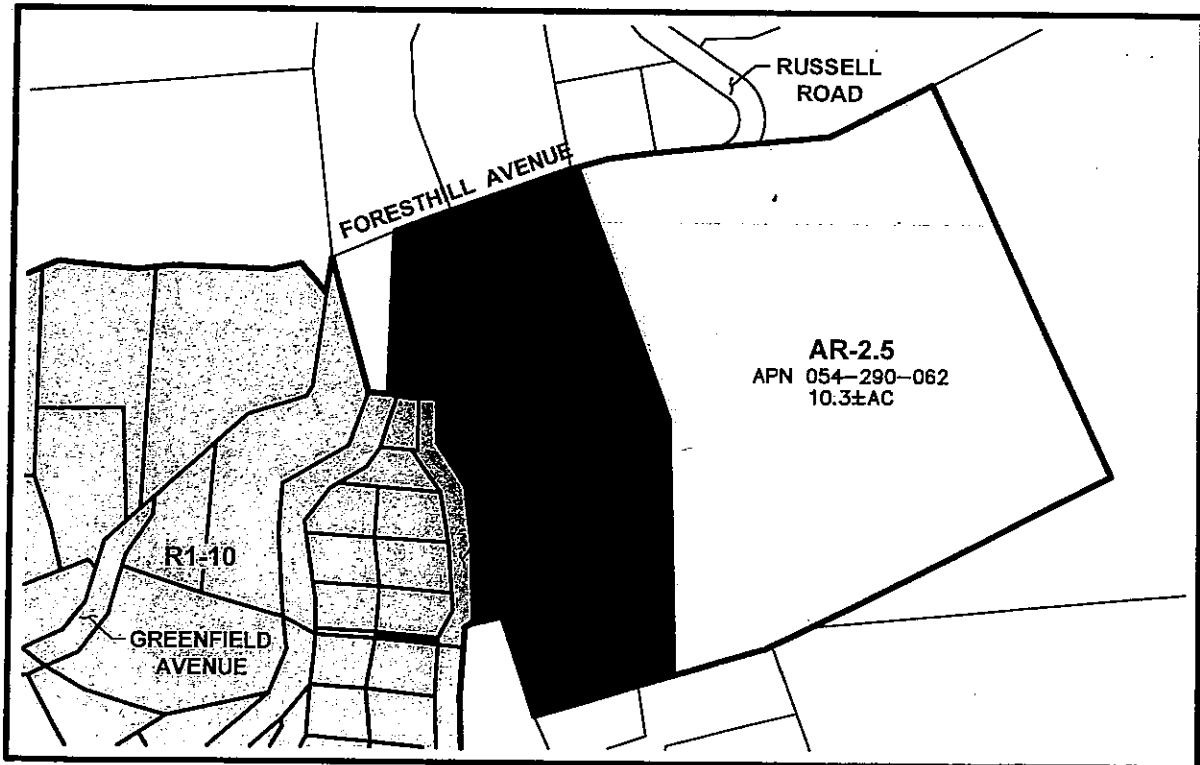


Rezoning Proposal

EXISTING



PROPOSED





EXHIBITS

EXHIBIT A

CITY COUNCIL RESOLUTION NO. 11-____

A RESOLUTION ADOPTING A CATEGORICAL EXEMPTION PREPARED FOR A PROPOSED APPLICATION FOR ANNEXATION OF TWO PROPERTIES TOTALING ±16.1 ACRES OF PROPERTY LOCATED AT 880 & 890 FORESTHILL AVENUE (ANN 11-1)

THE CITY COUNCIL OF THE CITY OF AUBURN DOES HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1. The City Council has considered all of the evidence submitted which includes, but is not limited to:

1. Staff report prepared by the Community Development Department for the April 25, 2011, City Council meeting.
2. All related documents received or submitted at or prior to the meeting.
3. The City of Auburn General Plan, Subdivision Ordinance, Zoning Ordinance, City of Auburn Airport Land Use Plan, County of Placer General Plan and Zoning Ordinance, and all other applicable regulations and codes.

SECTION 2. In review of all of the foregoing evidence, the City Council finds the following:

1. The City Council, finds that the project is Categorically Exempt in accordance with Section 15319, Class 19 as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines (**Attachment 1**).
2. The property is built out in accordance with the Placer County General Plan and no further development is proposed upon annexation into the City, as proposed.
3. The City Council has determined that the Categorical Exemption is the

1 appropriate level of environmental review for the proposed project.

2
3 Section 3. The time in which to seek judicial review of this decision shall
4 be governed by Code of Civil Procedure Section 1094.6. The City Clerk shall
5 certify to the adoption of this resolution, transmit copies of the same to the
6 applicant and his counsel, if any, together with a proof of mailing in the form
7 required by law and shall enter a certified copy of this resolution in the book of
8 resolutions of the City.

9
10 DATED: April 25, 2011

11
12 _____
13 William W. Kirby, M.D., Mayor

14 ATTEST:

15 _____
16 Joseph G. R. Labrie, City Clerk

17
18 I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify
19 that the foregoing resolution was duly passed at a regular meeting of the City
of Auburn held on the 25th day of April 2011 by the following vote on roll call:

20 Ayes:

21 Noes:

22 Absent:

23 _____
24 Joseph G. R. Labrie, City Clerk

COUNTY RECORDER
Filing Requested by:

ATTACHMENT 1

City of Auburn, CDD

Lance E. Lowe, AICP, Associate Planner

1225 Lincoln Way, Room 3

Address

Auburn, CA 95603

City, State, Zip

Notice of Exemption

To: Placer County Clerk
2954 Richardson Drive
Auburn, CA 95603

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814



Project Title: Meyer Annexation (File # ANN 11-1) (530) 823-4211 ext 103
880 & 890 Foresthill Avenue
Auburn, CA 95603

Project Location: Subject property is located at 880 & 890 Foresthill Avenue

Project: Authorization to submit an application for annexation of two properties totaling ± 16.1 acres adjacent to the City of Auburn City limits.

Categorical Exemption: "15319, Class 19"

Reasons why project is exempt: Section 15319, Class 19 consists of the following annexations:

- a) Annexation to a city or special district of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities.
- b) Annexations of individual small parcels of the minimum size of facilities exempted by Section 15303, New Construction or Conversion of Small Structures.

This is to advise that the Auburn City Council, as the lead agency in accordance with CEQA, adopted a Categorical Exemption on **April 25, 2011.**

Lead Agency Contact Person: Lance E. Lowe, AICP, Associate Planner

Telephone Number: (530) 823-4211 ext. 103

Signature (Public Agency): _____ Date: _____

Date received for filing at OPR:

FILE # _____ **FILE NAME** _____
AUTHORIZED SIGNATURE _____

RECEIPT # _____
FEE STATUS _____

EXHIBIT B

RESOLUTION NO. 11-_____

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR ANNEXATION TO THE PLACER COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO) FOR PROPERTY LOCATED AT 880 & 890 FORESTHILL AVENUE (ANN 11-1)

BE IT RESOLVED by the City Council of the City of Auburn as follows:

SECTION 1. The City Council desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code section 56000 *et. seq.*) for the annexation of two contiguous properties totaling ± 16.1 acres located at 880 & 890 Foresthill Avenue into the City of Auburn as illustrated in **Attachment 1** attached hereto and incorporated herein by reference.

1. The territory proposed to be annexed is uninhabited and an illustration of the boundaries of the territory is set forth in **Attachment 1** attached hereto and incorporated herein by reference.

2. The properties are within the sphere of influence of the City of Auburn.

3. Existing services are available to serve the properties proposed for annexation.

4. The proposed annexation of residential properties currently served by City services is consistent with the City of Auburn General Plan. The property is built out in accordance with the City of Auburn General Plan.

5. As all of the owners of record have agreed to the processing of this Application and the City of Auburn requests a waiver of conducting authority under Government Code Section 56663(a). and,

6. The annexation of properties into the City of Auburn is not subject to a Williamson Act Contract.

1 SECTION 2. Upon application approval by the Placer County Local Formation
2 Commission, the City Manager is hereby authorized to enter into and sign any
3 documentation necessary to ratify the property annexation.
4

5 DATED: April 25, 2011
6

7
8 William W. Kirby, M.D., Mayor

9 ATTEST:

10 Joseph G. R. Labrie, City Clerk
11
12

13 I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify
14 that the foregoing resolution was duly passed at a regular meeting of the City
of Auburn held on the 25th day of April, 2011 by the following vote on roll call:

15 Ayes:

16 Noes:

17 Absent:

18 Joseph G. R. Labrie, City Clerk
19
20
21
22
23
24
25
26
27
28

880 & 890 Foresthill Avenue

